



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200

DALLAS, TX 75202-2733

January 31, 2012

CERTIFIED MAIL - RETURN RECEIPT REQUESTED: 7010 2780 0002 4357 3728

Mr. Terry Hurlburt
Senior Vice President - Operations
Enterprise Products Operating, L.L.C.
10207 FM 1942
P.O. Box 573
Mont Belvieu, TX 77580-0573

Dear Mr. Hurlburt:

Enclosed is an Information Request (Request) issued to Enterprise Products Operating L.L.C. (Enterprise) under the authority of Section 114 of the Clean Air Act (CAA). The purpose of this Request is to obtain information necessary to determine Enterprise's compliance with Section 112(r) of the CAA, 42 U.S.C. § 7412(r), and the Chemical Accident Prevention Provisions promulgated at 40 C.F.R. Part 68 at its facilities in Mont Belvieu, Texas.

Please provide the information requested within thirty (30) of your receipt of this letter to the person identified in Enclosure A. If you have any questions or need to request an extension, please contact Evan Pearson, Senior Enforcement Counsel, at (214) 665-8074.

Sincerely,

A handwritten signature in black ink, appearing to read "John Blevins", with a stylized flourish at the end.

John Blevins

Director

Compliance Assurance and
Enforcement Division

Enclosure

ENCLOSURE A

ENTERPRISE PRODUCTS OPERATING, L.L.C. INFORMATION REQUEST

The Environmental Protection Agency (EPA) is investigating Enterprise Products Operating, L.L.C.'s (Enterprise) compliance with Section 112(r) of the Clean Air Act (CAA), 42 U.S.C. § 7412(r), and the Chemical Accident Prevention Provisions promulgated at 40 C.F.R. Part 68 at its facilities in Mont Belvieu, Texas. Pursuant to Section 114 of the CAA, 42 U.S.C. § 7414, you are hereby required to follow the instructions and provide responses to the questions in this Information Request (Request). You are required to submit this information to EPA within thirty (30) calendar days of receipt of this Request. If you anticipate that you will be unable to fully respond to this Request within thirty (30) calendar days, you must submit a sworn affidavit or declaration by a responsible corporate official within twenty (20) calendar days of receipt of this Request specifying what information will be provided within the time specified, describing what efforts have been/are being made to obtain other responsive information, and providing a detailed schedule of when such other responsive information can be provided. Upon receipt and based on such affidavit or declaration, EPA may extend the time in which responsive information must be provided to it. Furthermore, EPA specifically retains the right to obtain additional information beyond what is listed in this Request.

All information submitted in response to this Request must be certified as true, accurate, and complete by an individual with sufficient knowledge and authority to make such representations on behalf of Enterprise. An affidavit making such representations is provided as Enclosure B. A knowing submittal of false information in response to this Request may be actionable under 18 U.S.C. § 1001 and 42 U.S.C. § 7413(c). Failure to fully comply with this Request may subject Enterprise to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

In accordance with Section 114(c) of the CAA, 42 U.S.C. § 7414(c), the records, reports, and/or information requested in this Request must be submitted whether or not you regard part or all of it as a trade secret or confidential. You may, if you desire, assert a business confidentiality for all or part of the information submitted (with the exception of emissions data) in accordance with 40 C.F.R. Part 2. The information qualifying as business confidential material will be disclosed by EPA only to the extent and by the procedures set forth in 40 C.F.R. Part 2, Subpart B. Unless you make a claim at the time that you submit the information, it may be made available to the public by EPA without further notice to you. If you do assert a business confidentiality claim, you must follow the procedures set forth in Section I - Instructions.

All information responsive to this Request should be sent to the following:

Sunita Singhvi, Acting Chief
Multimedia Enforcement Section (6EN-HM)
Hazardous Waste Enforcement Branch
Compliance Assurance and Enforcement Division
U.S. EPA - Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

Minerva DeLeon
Enforcement Officer (6EN-HM)
U.S. EPA - Region 6
10625 Fallstone Road
Houston, TX 77099

I. INSTRUCTIONS

1. The enclosed Affidavit (Enclosure B) must be filled out and submitted along with your responses to this Request.
2. If information or documents not known or not available to you as of the date of submission of a response to this Request should later become known or available to you, you must supplement your response to EPA. Moreover, should you find, at any time after the submission of your response that any portion of the submitted information is false or misrepresents the truth, you must notify EPA of this fact as soon as possible and provide EPA with a corrected response. There are significant penalties for submitting false information, including the possibility of fine or imprisonment.
3. Provide a separate response to each question or subquestion in this Request, and proceed each answer with the number of the question to which it responds.
4. For each document produced in response to this Request, indicate on the document, or in some other reasonable manner, the number of the Question to which it responds. Please submit all information for each question in a logically sequenced, bound format.
5. If you wish to assert a claim of business confidentiality, you must clearly mark each page of each document included in your claim with a legend such as "trade secret", "proprietary", or "company confidential." If you claim information submitted in response to this Request as confidential, you must also provide a redacted version of the information with all confidential business information deleted. For any document in which you assert a claim of business confidentiality, please answer the following questions:

- a. What specific portions of the information are alleged to be entitled to confidential treatment? Specify by page, paragraph, and sentence when identifying the information subject to your claim.
- b. For what period of time do you request that the information be maintained as confidential, *e.g.*, until a certain date, until the occurrence of a specified event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, specify that event. Additionally, explain why the information should be protected for the time period you have specified.
- c. What measures have you taken to protect the information claimed as confidential from undesired disclosure? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
- d. Is the information contained in any publicly available material such as the Internet, publicly available databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
- e. Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.
- f. For each category of information claimed as confidential, explain with specificity whether disclosure of the information is likely to result in substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?
- g. Is there any other explanation you deem relevant to EPA's determination of your business confidentiality claim that is not covered in the preceding questions? If so, you may provide such additional explanation.

You must furnish comments to the above questions concurrent with your response to this Request if you have claimed any information as business confidential. See 40 C.F.R. § 2.204(e)(2). Pursuant to 40 C.F.R. § 2.205(b)(2), you may request an extension of this deadline. EPA will construe your failure to furnish timely comments as a waiver of your confidentiality claim, consistent with 40 C.F.R. § 2.204(e)(1).

6. If you have already provide a document to EPA, you do not have to resubmit the document. Rather, provide the Bates Number of the document (i.e., ENT-EPA-000001 – 000005).

II. DEFINITIONS

The following definitions shall apply to the following words as they appear in Enclosure A:

1. The terms "document" and "documents" shall mean any object that records, stores, or presents information, both electronic and tangible, and includes writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including by way of illustration and not by way of imitation, any invoice, manifest, bill of lading, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations, including meetings, agreements and the like, diary, calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, interoffice or intraoffice communications, photostat or other copy of any documents, microfilm or other film record, any photograph, sound recording on any type of device, any hard drive, flash drive, CD, DVD, or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use such hard drive, flash drive, CD, DVD, or other type of memory and together with printouts of such hard drive, flash drive, CD, DVD, or other type of memory); and (a) every copy of each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure or notation, annotation or the like on it, (c) drafts, (d) attachments to or enclosures with any document, and (e) every document referred to in any other document.
2. The term "Enterprise Products Operating L.L.C. (Enterprise)" includes any officer, director, agent, or employee of Enterprise, including any merged, consolidated, or acquired predecessor or parent, subsidiary, division, or affiliate thereof, and any related partnerships or limited partnerships.
3. The term "you" or "yours" refers to Enterprise.
4. The term "Enterprise Mont Belvieu Main Complex" refers to the facility located 10207 FM 1942, Mont Belvieu, Chambers County, Texas, but does not include the West Storage Facility.
5. The term "West Storage Facility" refers to Enterprise's storage facility located in Mont Belvieu, Chambers County, Texas, where a fire and explosion occurred on February 8, 2011.
6. The terms "identify" or "identification" means when used in reference to a natural person, to provide his or her name, present or last known address, his or her present or last known employment position or affiliation, and his or her positions during the time period covered by this Information Request.

7. All terms used in the Request will have their ordinary meaning unless such terms are defined in the CWA and its implementing regulations, RCRA, 40 C.F.R. Parts 260 - 280, and the federally authorized Texas hazardous waste program, or the CAA and its implementing regulations, in which case such statutory or regulatory definitions apply.
8. The terms "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Request, any information which might otherwise be construed to be outside its scope.
9. Words in the masculine shall be construed in the feminine, and vice versa, and words in the singular shall be construed in the plural, and vice versa, where appropriate in the context of a particular question or questions.
10. The terms "relate to" or "pertain to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.

III. QUESTIONS

1. Identify each person(s) answering each Question or subpart of each Question.
2. For each and every Question or subpart of each Question contained herein, identify all persons consulted in the preparation of the answer.
3. For each and every Question contained herein, identify all documents consulted, examined, or referred to in the preparation of the answer or that contain information responsive to the Question, and provide true and accurate copies of such documents.
4. From January 1, 2006 to the present, provide the following information about the owner(s) and operator(s) of the Enterprise Mont Belvieu Main Complex:
 - A. Name of owner and operator;
 - B. Type of entity (corporation, partnership, individual);
 - C. Place of incorporation or registration;
 - D. Dates of ownership;
 - E. Dates of operational control; and
 - F. Percentage of ownership.
5. From January 1, 2006 to the present, provide the following information about the owner(s) and operator(s) of the West Storage Facility:
 - A. Name of owner and operator;
 - B. Type of entity (corporation, partnership, individual);
 - C. Place of incorporation or registration;
 - D. Dates of ownership;

- E. Dates of operational control; and
 - F. Percentage of ownership.
6. Is the West Storage Facility a separate "stationary source" from the Enterprise Mont Belvieu Main Complex, as that term is defined by Section 112(r)(2)(C) of the Clean Air Act, 42 U.S.C. § 7412(r)(2)(C), and 40 C.F.R. § 68.3. Explain your answer.
 7. Is the West Storage Facility subject to the OSHA Process Safety Management (PSM) standard, 29 C.F.R. § 1910.119? Explain your answer. Also, if your answer is yes, identify the date that the West Storage Facility became subject to the OSHA PSM standard.
 8. Does the West Storage Facility meet the requirements of 40 C.F.R. § 68.10(b)? Explain your answer.
 9. Is the West Storage Facility subject to the Program 3 requirements of 40 C.F.R. Part 68, Subpart D? Explain your answer.
 10. As of February 8, 2011, identify the person that had overall responsibility for the development, implementation, and integration of the risk management program elements for the Enterprise Mont Belvieu Main Complex. Describe his or her responsibilities and qualifications.
 11. Describe the management system that oversees the risk management program elements at the Enterprise Mont Belvieu Main Complex.
 12. Identify the person(s) responsible for implementing the following requirements of 40 C.F.R. Part 68, Subpart D at the Enterprise Mont Belvieu Main Complex:
 - A. Process Safety Information;
 - B. Process Hazard Analysis;
 - C. Operating Procedures;
 - D. Training;
 - E. Mechanical Integrity;
 - F. Management of Change;
 - G. Pre-Startup Review
 - H. Compliance Audits;
 - I. Incident Investigation;
 - J. Employee Participation;
 - K. Hot Work Permits; and
 - L. Contractors.
 13. As of February 8, 2011, identify the person that had overall responsibility for the development, implementation, and integration of the risk management program elements for the West Storage Facility. Describe his or her responsibilities and qualifications.

14. Describe the management system that oversees the risk management program elements at the West Storage Facility.
15. Identify the person(s) responsible for implementing the following requirements of 40 C.F.R. Part 68, Subpart D at the West Storage Facility:
 - A. Process Safety Information;
 - B. Process Hazard Analysis;
 - C. Operating Procedures;
 - D. Training;
 - E. Mechanical Integrity;
 - F. Management of Change;
 - G. Pre-Startup Review
 - H. Compliance Audits;
 - I. Incident Investigation;
 - J. Employee Participation;
 - K. Hot Work Permits; and
 - L. Contractors.

16. Provide a copy of the piping and instrumentation diagrams (P&IDs) for underground routing of piping for the following areas of the Enterprise Mont Belvieu Main Complex:
 - A. North Storage Area; and
 - B. East Storage Area.

For each P&ID provided, specify the date that it was created. If you do not have a P&ID(s) for one or both areas listed above, explain why the P&ID(s) are not available.

17. Provide a copy of the isometric drawings (or similar drawings) of the underground routing of piping for the following areas of the Enterprise Mont Belvieu Main Complex:
 - A. North Storage Area; and
 - B. East Storage Area.

For each isometric drawing (or similar drawing) provided, specify the date that it was created. If you do not have isometric drawings (or similar drawings) of the underground routing of piping for one or both areas listed above, explain why isometric drawings (or similar drawings) are not available.

18. Provide a copy of the material specifications (e.g., type of piping, piping class, coating, lining, cathodic protection, etc.) for the underground piping and underground header system for the following areas of the Enterprise Mont Belvieu Main Complex:
 - A. North Storage Area; and
 - B. East Storage Area.

19. Provide a copy of the material specifications (e.g., type of piping, piping class, coating, lining, cathodic protection, etc.) for the header manifold piping for the following areas of the Enterprise Mont Belvieu Main Complex:
 - A. North Storage Area; and
 - B. East Storage Area.
20. Provide a copy of the piping and instrumentation diagrams (P&IDs) for underground routing of piping for the West Storage Facility. For each P&ID provided, specify the date that it was created. If you do not have a P&IDs for the underground routing of piping at the West Storage Facility, explain why the P&IDs are not available.
21. Provide a copy of the isometric drawings (or similar drawings) of the underground routing of piping for the West Storage Facility. For each isometric drawing (or similar drawing) provided, specify the date that it was created. If you do not have isometric drawings (or similar drawings) of the underground routing of piping for West Storage Facility, explain why the isometric drawings (or similar drawings) are not available.
22. Provide a copy of the material specifications (e.g., type of piping, piping class, coating, lining, cathodic protection, etc.) for the underground piping and underground header system for West Storage Facility.
23. Provide a copy of the material specifications (e.g., type of piping, piping class, coating, lining, cathodic protection, etc.) for the header manifold piping for the West Storage Facility.
24. Identify the specific standard(s) (e.g., API, ASME, etc.) that you use to address the mechanical integrity of the above-ground piping at the Enterprise Mont Belvieu Main Complex.
25. Identify the specific standard(s) (e.g., API, ASME, etc.) that you use to address the mechanical integrity of the above-ground piping at the West Storage Facility.
26. Identify the procedure(s) used by your employees and contractors to perform the flange separation and blinding on the header drop piping to Well No. 2 on February 8, 2011 at the West Storage Facility. Provide a copy of this procedure(s).
27. Do you have a written procedure instructing maintenance employees on the maximum level of force to apply to pipe flanges, so that the force used to spread them apart does not overstress or damage the piping and/or its attached components? If yes, submit a copy, and identify the date that the written procedure was implemented.

28. On or about February 8, 2011, workers at the West Storage Facility were assigned to blind and isolate Well No. 2 underground piping from the product headers.
- A. Explain why this work was being done.
 - B. Whether any testing and/or inspection was conducted to determine whether the flange separation caused any damage to the header and/or piping. If your answer is no, provide the following information:
 - (i) Explain why testing and/or an inspection(s) was not conducted;
 - (ii) Whether API 570 – Piping Inspection Code: In-Service Inspection, Rating, Repair, and Alteration of Piping Systems, would have required testing and/or inspection.
 - C. If your answer to Question 29.B is yes, identify the method used, and the results of the testing and/or inspection;
 - D. Whether the Energy Isolation (Lockout/Tagout) Policy was applicable for this work? If your answer is no, explain.
 - E. Whether the Lockout/Tagout procedures completed in a manner that physically prevented the transmission or release of energy to the equipment while work was being performed. Explain your answer.
 - F. Was a variance obtained to allow the work to proceed without meeting the Energy Isolation Policy? If your answer is yes, provide a copy of the variance. If your answer is no, explain why a variance was not obtained.
 - G. Did an abnormal situation or condition exist that required approval of a variance? If your answer is yes, describe in detail the abnormal situation or condition.
 - H. What would been required to de-energize all headers associated with the header drops.
29. From January 1, 2009 to the present (excluding February 8, 2011), provide the following information for flange separation on the header drop piping that has occurred at the West Storage Facility:
- A. Date that flange separation occurred;
 - B. Location of where flange separation occurred;
 - C. Whether any testing and/or inspection was conducted to determine whether the flange separation caused any damage to the header and/or piping. If your answer is no, provide the following information:
 - (i) Explain why testing and/or an inspection(s) was not conducted;
 - (ii) Whether API 570 – Piping Inspection Code: In-Service Inspection, Rating, Repair, and Alteration of Piping Systems, would have required testing and/or inspection.
 - D. If your answer to Question 30.C is yes, identify the method used, and the results of the testing and/or inspection;
 - E. Whether the Energy Isolation (Lockout/Tagout) Policy was applicable for this work? If your answer is no, explain.
 - F. Whether the Lockout/Tagout procedures completed in a manner that physically prevented the transmission or release of energy to the equipment while work was being performed. Explain your answer.

- G. Was a variance obtained to allow the work to proceed without meeting the Energy Isolation Policy? If your answer is yes, provide a copy of the variance. If your answer is no, explain why a variance was not obtained.
- H. Did an abnormal situation or condition exist that required approval of a variance? If your answer is yes, describe in detail the abnormal situation or condition.
- I. What would been required to de-energize all headers associated with the header drops.
30. From January 1, 2009 to the present, provide the following information for flange separation on the header drop piping that has occurred at the North Storage Area of the Enterprise Mont Belvieu Main Complex:
- A. Date that flange separation occurred;
 - B. Location of where flange separation occurred;
 - C. Whether any testing and/or inspection was conducted to determine whether the flange separation caused any damage to the header and/or piping. If your answer is no, provide the following information:
 - (i) Explain why testing and/or an inspection(s) was not conducted;
 - (ii) Whether API 570 – Piping Inspection Code: In-Service Inspection, Rating, Repair, and Alteration of Piping Systems, would have required testing and/or inspection.
 - D. If your answer to Question 31.C is yes, identify the method used, and the results of the testing and/or inspection;
 - E. Whether the Energy Isolation (Lockout/Tagout) Policy was applicable for this work? If your answer is no, explain.
 - F. Whether the Lockout/Tagout procedures completed in a manner that physically prevented the transmission or release of energy to the equipment while work was being performed. Explain your answer.
 - G. Was a variance obtained to allow the work to proceed without meeting the Energy Isolation Policy? If your answer is yes, provide a copy of the variance. If your answer is no, explain why a variance was not obtained.
 - H. Did an abnormal situation or condition exist that required approval of a variance? If your answer is yes, describe in detail the abnormal situation or condition.
 - I. What would been required to de-energize all headers associated with the header drops.
31. From January 1, 2009 to the present, provide the following information for flange separation on the header drop piping that has occurred at the East Storage Area of the Enterprise Mont Belvieu Main Complex:
- A. Date that flange separation occurred;
 - B. Location of where flange separation occurred;
 - C. Whether any testing and/or inspection was conducted to determine whether the flange separation caused any damage to the header and/or piping. If your answer is no, provide the following information:
 - (i) Explain why testing and/or an inspection(s) was not conducted;
 - (ii) Whether API 570 – Piping Inspection Code: In-Service Inspection, Rating, Repair, and Alteration of Piping Systems, would have required testing and/or inspection.

- D. If your answer to Question 22.C is yes, identify the method used, and the results of the testing and/or inspection;
 - E. Whether the Energy Isolation (Lockout/Tagout) Policy was applicable for this work? If your answer is no, explain.
 - F. Whether the Lockout/Tagout procedures completed in a manner that physically prevented the transmission or release of energy to the equipment while work was being performed. Explain your answer.
 - G. Was a variance obtained to allow the work to proceed without meeting the Energy Isolation Policy? If your answer is yes, provide a copy of the variance. If your answer is no, explain why a variance was not obtained.
 - H. Did an abnormal situation or condition exist that required approval of a variance? If your answer is yes, describe in detail the abnormal situation or condition.
 - I. What would be required to de-energize all headers associated with the header drops.
32. Give examples of "abnormal" situations or conditions that would require a variance from Section 3.3 – Energy Isolation (Lockout/Tagout) of Enterprise's Safety Policies Manual. provides the following:
33. Explain why the 2006 Operating Procedure Certification for the West Terminal (Exhibit A) had a different current certification date printed on the form than the signature date. Was this form created?
34. Explain why the 2006 Operating Procedure Certifications in Exhibit B each had a different current certification date printed on the form than the signature date. When was each form created?
35. For each piece of equipment identified in Exhibit C, provide the following information:
- A. Why the inspection was not conducted within the deadline set by Enterprise;
 - B. Identify the standard (e.g., API, ASME, etc.) you used to determine the interval(s) between inspections;
 - C. If the notation indicates that the equipment was offline, provide the date that it was placed in this status.
 - D. If the notation indicates that the equipment was shutdown, provide the date that it was placed in this status.
36. Define the following terms as it relates to the equipment identified in Exhibit C:
- A. Offline; and
 - B. Shutdown.

37. For each piece of equipment identified in Exhibit D that has a past due date and has not been inspected as of the date of receipt of this Information Request, provide the following information:
- A. Why the inspection was not conducted within the deadline set by Enterprise;
 - B. Identify the standard (e.g., API, ASME, etc.) you used to determine the interval(s) between inspections;
 - C. If the notation indicates that the equipment was offline, provide the date that it was placed in this status.
 - D. If the notation indicates that the equipment was shutdown, provide the date that it was placed in this status.
38. The April 2- 5, 2007 Compliance Audit for the Mont Belvieu Complex (dated July 25, 2007) (ENT-EPA-0000243 – 0000269) lists a number of findings. For each finding identified in this Compliance Audit, provide the following information:
- A. Finding;
 - B. Recommendation or response;
 - C. Status of recommendation or response (e.g., open, closed, etc.);
 - D. Date recommendation or response was originally scheduled to be completed;
 - E. If applicable, date recommendation or response was completed;
 - F. If recommendation or response has not been completed, an explanation why it has not been completed, and the date that you expect to complete the recommendation or response; and
 - G. If a finding carried over from a previous Audit Report (Repeat Finding), explain why it was not completed prior to the 2007 Compliance Audit.
39. The February 16, 2010 Compliance Audit of the Enterprise Mont Belvieu North-East-West Storage Areas (dated May 12, 2010) (ENT-EPA-0000270 - 0000284) lists a number of findings. For each finding identified in this Compliance Audit, provide the following information:
- A. Finding;
 - B. Recommendation or response;
 - C. Status of recommendation or response (e.g., open, closed, etc.);
 - D. Date recommendation or response was originally scheduled to be completed;
 - E. If applicable, date recommendation or response was completed;
 - F. If recommendation or response has not been completed, an explanation why it has not been completed, and the date that you expect to complete the recommendation or response; and
 - G. If a finding carried over from a previous Audit Report (Repeat Finding), explain why it was not completed prior to this Compliance Audit.

40. The February 22, 2010 Compliance Audit of the Enterprise Mont Belvieu South Plant (dated June 4, 2010) (ENT-EPA-0015926 - 0019543) lists a number of findings. For each finding identified in this Compliance Audit, provide the following information:
- A. Finding;
 - B. Recommendation or response;
 - C. Status of recommendation or response (e.g., open, closed, etc.);
 - D. Date recommendation or response was originally scheduled to be completed;
 - E. If applicable, date recommendation or response was completed;
 - F. If recommendation or response has not been completed, an explanation why it has not been completed, and the date that you expect to complete the recommendation or response; and
 - G. If a finding carried over from a previous Audit Report (Repeat Finding), explain why it was not completed prior to this Compliance Audit.
41. The April 2010 Compliance Audit of the Enterprise Mont Belvieu North Plant (dated June 23, 2010) (ENT-EPA-0015944 - 0015958) lists a number of findings. For each finding identified in this Compliance Audit, provide the following information:
- A. Finding;
 - B. Recommendation or response;
 - C. Status of recommendation or response (e.g., open, closed, etc.);
 - D. Date recommendation or response was originally scheduled to be completed;
 - E. If applicable, date recommendation or response was completed;
 - F. If recommendation or response has not been completed, an explanation why it has not been completed, and the date that you expect to complete the recommendation or response; and
 - G. If a finding carried over from a previous Audit Report (Repeat Finding), explain why it was not completed prior to this Compliance Audit.
42. Submit a copy of the protocol(s) and/or workplans for conducting the Compliance Audits identified in Questions 38 - 41.
43. Submit a copy of the final incident report for the February 8, 2011 incident at the West Storage Facility.
44. For each finding and recommendation set forth in the incident report identified in Question 43, explain what actions have been taken and what actions remain to be taken.
45. Submit a copy of all Title V deviation reports and Title V compliance certifications for the Enterprise Mont Belvieu Complex from January 1, 2008 to the present.
46. Specify the date that API Recommended Practice (RP) 580¹ was implemented for the underground piping at the West Storage Facility.

¹ Unless otherwise noted, all references to API RP 580 are to the 1st edition (May 2002).

47. Provide a copy of the RBI program for the underground piping at the West Storage Facility. This should include the entire RBI program since its inception, and not just the most current assessment or mitigation.
48. Identify the members of the RBI team who are currently involved in the RBI program, as well as members who were previously involved in the RBI program since its inception. Specify the dates when each person was involved and which assessments and other program elements were done during their time on the RBI team. Also specify their role within the team, and the position within the company that the individual held, including previous roles and positions, if applicable. If contractor personnel were involved, include the dates of involvement and which RBI elements were conducted during their time on the RBI team. Also specify the role of the contractor within the team.
49. Identify the members of the team who conducted the initial evaluation and developed the RBI program for underground piping at the West Storage Facility. Specify their role or position in the RBI program, their role and/or position at facility (or if contractor, role as contractor), their experience with RBI, and their experience with the process being evaluated.
50. Identify the consensus-based standards which were reviewed as part of the initial evaluation for implementing API 580 for the underground piping at the West Storage Facility. Identify standards that have been incorporated subsequently, including any updated editions of older standards.
51. Identify the technical or engineering expert (e.g., piping engineering expert, etc.) who advised the use of each of the standards identified in response to Question 50 at the time of the initial assessment, and provide a copy of the expert's report for each of the standards.
52. Provide a copy of all documents from acquisition of the West Storage Facility to the present that identify which codes and standards were used to evaluate the underground piping at the West Storage Facility.
53. Provide a copy of the written mechanical integrity program that was in effect prior to the initial RBI assessment.
54. Identify the type of inspection(s) (e.g., soil resistivity measurements, cathodic protection monitoring, etc.) and the standard(s) that was used to evaluate the underground piping at the West Storage Facility prior to the initial RBI assessment.
55. Provide a copy of any testing, inspection, or evaluation of the underground piping at the West Storage Facility that was conducted prior to the initial RBI assessment.
56. Provide all initial inspection reports, test results, and/or evaluation reports for the underground piping at the West Storage Facility that were conducted or considered in developing the RBI for the underground piping at the West Storage Facility.

57. Provide any and all assumptions made by the RBI team that address risk, consequences, inspection frequency, similar service, etc., for the underground piping at the West Storage Facility.
58. Identify the data used in establishing the RBI program for the underground piping at the West Storage Facility, as described in Section 7.4 of API RP 580.
59. Identify the damage mechanisms and failure modes for the underground piping at the West Storage Facility, as described in Section 8 of API RP 580.
60. Provide a copy of the Probability of Failure Analysis for the underground piping at the West Storage Facility, as described in Section 9 of API RP 580.
61. Provide a copy of the Consequence Analysis for the underground piping at the West Storage Facility, as described in Section 10 of API RP 580.
62. Provide a copy of the initial Risk Determination, Assessment, and Management analysis for the initial RBI evaluation for the underground piping at the West Storage Facility, as described in Section 11 of API RP 580.
63. Provide a copy of the initial Inspection Activities plan for the initial RBI evaluation for the West Storage Facility, as detailed in Section 12 of API RP 580.
64. Provide a copy of any RBI Reassessment for the underground piping at the West Storage Facility, as described in Section 14 of API RP 580.
65. Provide a copy of the RBI documentation for the underground piping at the West Storage Facility, as described in Section 16 of API RP 580, including:
 - A. Type of assessment;
 - B. Team members performing the assessment;
 - C. Time frame over which the assessment is applicable;
 - D. The inputs and sources used to determine risk;
 - E. Assumptions made during the assessment;
 - F. The risk assessment results (including information on probability and consequences);
 - G. Follow-up mitigation strategy, if applicable, to manage risk;
 - H. The mitigated risk levels (i.e., residual risk after mitigation is implemented); and
 - I. References to codes or standards that have jurisdiction over extent or frequency of inspection.
66. Provide copies of any and all documentation addressing how the RBI program differs from that outlined in API RP 580 (either 1st or 2nd edition) and API RP 581 (either 1st or 2nd edition), including justification for the changes and the source of information used to justify deviation.

67. Provide a copy of the current RBI inspection program for the underground piping at the West Storage Facility.
68. Identify the type and method of inspection (e.g., soil resistivity measurements, cathodic protection monitoring) for the underground piping at the West Storage Facility.
69. Provide a copy of all inspection reports, test results, and/or evaluation reports (including soil resistivity measurements and cathodic protection monitoring) regarding the condition of the underground piping at the West Storage Facility (other than provided in response to Question 55 or 56).
70. Exhibit E (attached) provides an inspection interval for poorly coated pipes and pipes that are not cathodically protected. Identify all underground piping at the West Storage Facility that is either poorly coated, and/or not cathodically protected.
71. Provide a brief description of all activities regarding any inspections, maintenance, or excavation relating to the underground piping at the West Storage Facility that has taken place since February 8, 2011.

ENCLOSURE B

ENTERPRISE PRODUCTS OPERATING, L.L.C.

AFFIDAVIT TO INFORMATION REQUEST

BEFORE THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 6
DALLAS, TEXAS

STATE OF

SS.

COUNTY OF

I, the undersigned affiant, first being duly sworn, upon oath, depose and say:

1. I certify under penalty of law that the answers to the Questions in the Request, and all attachments included in our response were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete.

2. Attached hereto are _____ pages of photocopies of documents or records.

The attached pages are true and correct copies of records which I presently have in my custody and/or control as an owner and/or employee of _____
the address of which is _____
_____.

3. I am one of the custodians of the records of which the attached pages are true and correct copies. Those records have been requested by EPA and are being produced along with this affidavit in response to that Request.

4. The records, of which the attached pages are true copies, were and/or are received and/or kept in the usual course of the regularly conducted business and activity of the entity listed in paragraph 2 above. The records are relied upon by me and others for the purpose of conducting every-day affairs.

5. I have made a diligent search and inquiry for all records which are reasonably described in the Request to which this affidavit responds. I have not found or located, and I have not been told about, and I have no knowledge of, any records coming within the descriptions set forth in the said Request which have not been copied and submitted along with this affidavit.

6. I acknowledge that this affidavit is submitted to the United States in connection with a matter within the jurisdiction of EPA, and that any material false statement or act herein may be a crime under 18 U.S.C. § 1001, 42 U.S.C. § 6928(d), and 42 U.S.C. § 7413(c).

SIGNED: _____ DATE: _____

PRINTED NAME: _____

OFFICE OR TITLE: _____

SWORN AND SUBSCRIBED TO before me, the undersigned Notary Public on this
_____ day of _____, _____.

NOTARY PUBLIC in and for the State of

_____ residing at _____

SEAL

My commission expires _____.



ENTERPRISE PRODUCTS COMPANY

OPERATING PROCEDURE ANNUAL CERTIFICATION FORM

In accordance with the OSHA PSM regulation 29 CFR 1910.119 section (f)(3), the operating procedures in this manual are up to date and accurate.

All new procedures added to the manual and all procedures revised since the last documented annual certification have been reviewed and approved.

Operating Procedures Manual:


WEST TERMINAL

Current Certification Date:

Aug-2006

Signatures

Date


Area Supervisor

1/8/07


Area Manager

1/8/07

_____ Copy of annual certification form added to all approved manuals.

Manual\Cert.\Doc.



ENT-EPA-000013



ENTERPRISE PRODUCTS COMPANY

OPERATING PROCEDURE ANNUAL CERTIFICATION FORM

In accordance with the OSHA PSM regulation 29 CFR 1910.119 section (f)(3), the operating procedures in this manual are up to date and accurate.

All new procedures added to the manual and all procedures revised since the last documented annual certification have been reviewed and approved.

Operating Procedures Manual:

WEST TEXAS FRACTIONATOR

Current Certification Date:

Nov-2006

Signatures

Date



Area Supervisor

7-19-07



Area Manager

7-20-07

Copy of annual certification form added to all approved manuals.

Manual\Cert.\Doc.



ENT-EPA-000022



ENTERPRISE PRODUCTS COMPANY

OPERATING PROCEDURE ANNUAL CERTIFICATION FORM

In accordance with the OSHA PSM regulation 29 CFR 1910.119 section (f)(3), the operating procedures in this manual are up to date and accurate.

All new procedures added to the manual and all procedures revised since the last documented annual certification have been reviewed and approved.

Operating Procedures Manual:

SEMINOLE

Current Certification Date:

Nov-2006

Signatures

Date


Area Supervisor

7-19-07


Area Manager

7-20-07

Copy of annual certification form added to all approved manuals.

Manual\Cert.\Doc.

ENT-EPA-000027



ENTERPRISE PRODUCTS COMPANY

OPERATING PROCEDURE ANNUAL CERTIFICATION FORM

In accordance with the OSHA PSM regulation 29 CFR 1910.119 section (f)(3), the operating procedures in this manual are up to date and accurate.

All new procedures added to the manual and all procedures revised since the last documented annual certification have been reviewed and approved.

Operating Procedures Manual:

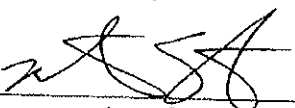
ISOM 200,400,600,1200

Current Certification Date:

Nov-2006

Signatures

Date


Area Supervisor

7-18-07


Area Manager

7-20-07

Copy of annual certification form added to all approved manuals.



ENTERPRISE PRODUCTS COMPANY

OPERATING PROCEDURE ANNUAL CERTIFICATION FORM

In accordance with the OSHA PSM regulation 29 CFR 1910.119 section (f)(3), the operating procedures in this manual are up to date and accurate.

All new procedures added to the manual and all procedures revised since the last documented annual certification have been reviewed and approved.

Operating Procedures Manual:

ISOM 100,300,C5 STRIPPER

Current Certification Date:

Nov-2006

Signatures

Date

Area Supervisor

7-19-07

Area Manager

7-20-07

Copy of annual certification form added to all approved manuals.



ENTERPRISE PRODUCTS COMPANY

OPERATING PROCEDURE ANNUAL CERTIFICATION FORM

In accordance with the OSHA PSM regulation 29 CFR 1910.119 section (f)(3), the operating procedures in this manual are up to date and accurate.

All new procedures added to the manual and all procedures revised since the last documented annual certification have been reviewed and approved.

Operating Procedures Manual:

WEST TEXAS TANK FARM

Current Certification Date:

Nov-2006

Signatures

Date


Area Supervisor

7-19-07


Area Manager

7-20-07

Copy of annual certification form added to all approved manuals.

Manual\Cert.\Doc.

ENT-EPA-000042



ENTERPRISE PRODUCTS COMPANY

OPERATING PROCEDURE ANNUAL CERTIFICATION FORM

In accordance with the OSHA PSM regulation 29 CFR 1910.119 section (f)(3), the operating procedures in this manual are up to date and accurate.

All new procedures added to the manual and all procedures revised since the last documented annual certification have been reviewed and approved.

Operating Procedures Manual:

SOUTHWEST AREA 800 ISOM

Current Certification Date:

Nov-2006

Signatures

Date

Area Supervisor

7-19-07

Area Manager

7-20-07

Copy of annual certification form added to all approved manuals.

Manual\Cert\A.Doc.



ENTERPRISE PRODUCTS COMPANY

OPERATING PROCEDURE ANNUAL CERTIFICATION FORM

In accordance with the OSHA PSM regulation 29 CFR 1910.119 section (f)(3), the operating procedures in this manual are up to date and accurate.

All new procedures added to the manual and all procedures revised since the last documented annual certification have been reviewed and approved.

Operating Procedures Manual:


ISOM 500 COMMONS

Current Certification Date:

Nov-2006

Signatures

Date



Area Supervisor

7-19-07



Area Manager

7-20-07

Copy of annual certification form added to all approved manuals.